This listing of claims will replace all prior versions, and listings, of claims in the application:

## **Listing of Claims:**

- 1. (Previously cancelled) An essentially purified and isolated noggin polypeptide having an amino acid sequence as set forth in Figure 1 (Sequence I.D. No. 2) or a functionally equivalent amino acid sequence.
- 2. (Previously cancelled) The human noggin polypeptide as claimed in claim 1 encoded by the DNA of hnogl-9 (deposited with the American Type Culture Collection under Accession No. 75310) or hnogl-10 (deposited with the American Type Culture Collection under Accession No. 75308) and fragments and derivatives thereof exhibiting noggin activity.
- 3. (Previously cancelled) An isolated nucleic acid selected from a nucleic acid encoding a noggin polypeptide as claimed in claim 1 or 2 and substantially similar nucleotide sequences.
- 4. (Previously cancelled) A nucleic acid as claimed in claim 3 which hybridizes to at least one nucleotide probe selected from the sequence of nucleotides 2 to 262 of Sequence I.D. No. 10 and the sequence:

## 5' GARGGIATGGTITGYAARCC (SEQ ID NO. 22).

- 5. (Previously cancelled) A nucleic acid as claimed in claim 3, wherein said nucleic acid is isolated from a l human placental genomic library.
- 6. (Previously cancelled) A nucleic acid as claimed in claim 5, wherein said nucleic acid is isolated from a phage selected from hnogl-9 (AT 75310) or hnogl-10 (ATCC 75308).

REG 132-B1 USSN 09/897,322 Amendment and Response to January 15, 2003, Office Action

- 7. (Previously cancelled) A substantially purified nucleic acid as claimed in claim 3, encoding the human noggin polypeptide corresponding to Sequence I.D. No. 2.
- 8. (Previously cancelled) A mutated variant of a nucleic acid as claimed in claim 3, which encodes a noggin agonist or antagonist.
- 9. (Previously cancelled) A mutant noggin polypeptide which is a noggin agonist or antagonist obtainable by expression of a nucleic acid as claimed in claim 8.
- 10. (Previously cancelled) An isolated nucleic acid which contains a nucleotide coding sequence for a noggin polypeptide as claimed in claim 1, in the anti-sense direction.
- 11. (Previously cancelled) A phage selected from the group consisting of hnogl-9 as deposited with the American Type Culture Collection and assigned Accession Number 75310 and hnogl-10 as deposited with the American Type Culture Collection and assigned Accession Number 75308.
- 12. (Previously cancelled) An expression vector comprising expression regulatory sequences operably linked to a nucleotide sequence which encodes noggin, wherein said nucleotide sequence is selected from the group consisting of:
- a) a nucleotide sequence which encodes the amino acid sequence set forth in Fig. 1 (SEQ I.D. NO. 2), and
- b) sequences which hybridize to the sequence of (a) and encode a protein which promotes the induction of neural tissue.
- 13. (Previously cancelled) An expression vector as claimed in claim 12, capable of directing expression of a functional noggin polypeptide in a eukaryotic host cell.



REG 132-B1 USSN 09/897,322 Amendment and Response to January 15, 2003, Office Action

- 14. (Previously cancelled) An expression vector as claimed in claim 13, wherein said host cell is selected from the group consisting of COS cells and CHO cells.
- 15. (Previously cancelled) An expression vector as claimed in claim 12, capable of directing the expression of a functional noggin polypeptide in a prokaryotic host.
- 16. (Previously cancelled) The expression vector as claimed in claim 15, wherein said host is <u>E. coli</u>.
- 17. (Previously cancelled) An expression vector as claimed in claim 12, capable of directing the expression of a functional noggin polypeptide in a baculovirus host.
- 18. (Previously cancelled) Host cells transformed by an expression vector as claimed in claim 12.
- 19. (Previously cancelled) A method of producing a noggin polypeptide which comprises culturing transformed host cells as claimed in claim 18, under conditions suitable for expression of said polypeptide.
- 20. (Previously cancelled) A method as claimed in claim 19, wherein human noggin is produced in a form substantially free of proteins of non-human origin.
- 21. (Previously cancelled) A pharmaceutical composition comprising a therapeutically effective amount of a polypeptide as claimed in claim 1, together with a pharmaceutically acceptable carrier.
- 22. (Previously cancelled) A culture medium suitable for use in culturing nerve cells containing a noggin polypeptide as claimed in claim 1.



REG 132-B1 USSN 09/897,322 Amendment and Response to January 15, 2003, Office Action

- 23. (Previously cancelled) An isolated receptor which <u>in vivo</u> binds a noggin polypeptide as claimed in claim 1, or a fragment thereof retaining the binding site for said polypeptide.
- 24. (Previously cancelled) An antibody which binds one or more noggin polypeptides as claimed in claim 1, but not other growth factors.
- 25. (Previously cancelled) A hybridoma capable of producing a monoclonal antibody as claimed in claim 24.
- 26. (Previously cancelled) The monoclonal antibody obtainable from hybridoma RP57-16.
- 27. (Previously cancelled) Hybridoma RP57-16.
- 28. (Previously cancelled) A hybridization probe suitable for detecting a nucleic acid as claimed in claim 3 having the sequence:

5'GAR GGIATGGTITGYAARCC (SEQ I.D. NO. 22).

- 29. (Previously cancelled) A noggin polypeptide as claimed in claim 1, for use in a method of treatment of a human or animal.
- 30. (Previously cancelled) A method of treatment of a human or animal comprising administering a therapeutic dosage of a noggin polypeptide as claimed in claim 1, wherein said treatment is selected from the group consisting of regulation of cartilage and bone growth, therapy of a congenital condition or degenerative disorder of the nervous system, and treatment of damaged nerve cells.
- 31. (Cancelled) A phage selected from  $hnog\lambda$ -9 as deposited with the American Type Culture Collection and assigned Accession Number 75310;  $hnog\lambda$ -10 as deposited with the American Type Culture Collection and assigned Accession Number 75308.--



- 32. (Cancelled) A culture medium suitable for use in culturing nerve cells containing a noggin polypeptide as set forth in Figure 1 (SEQ ID NO: 2).--
- 33. (Cancelled) An isolated receptor which <u>in vivo</u> binds a nogġin polypeptide as set forth in Figure 1 (SEQ ID NO: 2) or a fragment thereof retaining the binding site for the polypeptide.--
- 34. (Cancelled) A hybridization probe suitable for detecting a nucleic acid as set forth in Figure 1 (SEQ ID NO: 1), the hybridization probe having the sequence:

## 5'GAR GGIATGGTITGYAARCC (SEQ ID NO: 22).--

- 35. (Cancelled) A method of treatment of a human or animal comprising administering a therapeutic dosage of a noggin polypeptide as set forth in Figure 1 (SEQ ID NO: 2), wherein the treatment is selected from the group consisting of regulation of cartilage and bone growth, therapy of a congenital condition or degenerative disorder of the nervous system, and treatment of damaged nerve cells.--
- 36. (Previously added) A method of regulating cartilage or bone growth comprising administering an effective amount of noggin polypeptide as set forth in Figure 1 (SEQ ID NO: 2).

